

REMARKS

Reconsideration and withdrawal of the rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and following remarks are respectfully requested.

Claims 1 and 39-47 are now pending in the application, with Claims 1 and 40 being independent. Claims 42-47 are newly presented. Support for Claims 42, 43, 45 and 46 may be found, for example, on page 20, lines 11-16 and the Examples of the specification. Support for Claims 44 and 47 may be found, for example, on page 21, lines 12-19, page 22, line 3 through page 37, line 27, and the Examples of the specification. Applicants submit that no new matter has been added.

Claims 1 and 39-41 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1, 2, 6, 12 and 13 of U.S. Patent No. 6,706,100 (Mafune et al.). Applicants submit that Claims 1, 2, 6, 12 and 13 of Mafune et al. do not recite or suggest that the colorant is a dye, as recited in independent Claims 1 and 40 of the present application. Reconsideration and withdrawal of the double patenting rejection are requested. Nevertheless, if the Examiner maintains the rejection, Applicants will consider filing a terminal disclaimer.

Claims 1 and 39-41 were rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,299,675 (Ono et al.). This rejection is respectfully traversed.

Applicants' invention as recited in independent Claim 1 is directed to a second ink for an ink jet recording apparatus used with a first ink that includes at least one dye as a colorant. The second ink has a same color tone as the first ink. The second ink includes the same dye as at

least one of the dyes in the first ink, and the second ink has a lower dye content than the dye content of the first ink. A degree of fading of an image produced with the second ink is the same as or lower than a degree of fading of an image produced with the first ink.

Applicants' invention as recited independent Claim 40 is directed to a second ink for an ink jet recording apparatus used with a first ink that includes at least one dye as a colorant. The second ink has a same color tone as the first ink. The second ink includes the same dye as at least one of the dyes in the first ink, and the second ink has a lower dye content than the dye content of the first ink. An image produced with the second ink, when left under a condition that promotes fading, has a residual rate of reflection density that is equal to or greater than that of an image produced with the first ink.

For the following reasons, Applicants submit that the cited art fails to teach or suggest important features of Applicants' claimed invention.

Ono et al. describes use of a first ink having an anionic substance and a second ink containing an anionic substance and having the same color tone as that of the first ink. The concentration of the coloring material in the second ink is lower than that of the first ink. The Examiner has acknowledged that Ono et al. does not teach or suggest the degree of fading and the residual reflection density of an image produced with the second ink, but has asserted that these features would have been obvious in light of the disclosure of Ono et al. Applicants respectfully disagree.

In all but two of the ink sets disclosed in Ono et al. the dark ink and the light ink contain the same colorant. As described in the present specification at page 15, line 25 through page 17, line 8, typically, when an image produced using a light ink and a dark ink having the

same colorant, the image produced by the light ink has an inferior degree of fading as compared to the image formed by the dark ink. That is, typical use of a light ink and a dark ink having the same colorant would not produce inks having the degree of fading or the residual reflection density as presently claimed. Moreover, for the two ink sets of Ono et al. that contain different colorants (Y2-a and Y2-b, and Y3-a and Y3-b), each ink set makes use of Project First Yellow 2 and C.I. Direct Yellow 86. These colorants have almost equivalent resistivity against light. Again, as described in the present specification at page 15, line 25 through page 17, line 8, typically, when such colorants are used in the inks, the image produced by the light ink has an inferior degree of fading as compared to the image formed by the dark ink. Based on the foregoing, Applicants submit that Ono et al. does not teach or suggest, at least, that a degree of fading of an image produced with the second ink is the same as or lower than a degree of fading of an image produced with the first ink, as recited in Claim 1, or that an image produced with the second ink, when left under a condition that promotes fading, has a residual rate of reflection density that is equal to or greater than that of an image produced with the first ink, as recited in Claim 40.

Accordingly, Applicants submit that the cited art fails to teach or suggest important features of Applicants' presently claimed invention. Reconsideration and withdrawal of the rejection under § 103 are requested.

Applicants submit that the present invention is patentably defined by independent Claim 1 and 40. Dependent Claims 39 and 41-47 are also patentable, in their own right, for defining features of the present invention in addition to those recited in the independent claims. Individual consideration of the dependent claims is requested.

Accordingly, Applicants submit that Claims 1 and 39-47 are in condition for allowance.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,


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